

REMARKS/ARGUMENTS

Claims 1-34 are pending in the application. Claims 1-34 are rejected. Through this Amendment and Response, claims 4 and 25 have been cancelled and the subject matter has been incorporated into claims 1 and 22, respectively. Further, claims 1-3, 5-23, 27, 28, 29, 31, 33 and 34 have been amended to more clearly recite features of the claimed embodiments. No new matter has been added. As explained in more detail below, Applicants submit that all claims are in condition for allowance and respectfully request such action.

Claim Rejections – 35 USC § 103

Claims 1-7, 10, 13, 22-28, and 33-34 are rejected under 35 USC § 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verharghe (US 2001/0017672). Applicants respectfully request reconsideration in view of the following.

As indicated in the Index of Claims, attached hereto, claims 2-6, 10, and 13 ultimately depend from claim 1. Through this Amendment and Response, claim 4 has been cancelled and the subject matter has been amended into claim 1. Specifically, the limitation “third display generation means for generating display of a list of the selected programs stored in the storage means in a third display area of said display unit” has been amended. The limitation, previously the sole element of claim 4, is allegedly disclosed in Yuen. Specifically, the Office Action asserts that Yuen describes a “third display generation means for generating display of a list of the last program stored in the storage means in a third display area of the display unit (Yuen: see fig. 2 unit 45)”. (Office Action dated October 2, 2006; page 4) Applicants respectfully disagree. First, Yuen describes: 1) an EPG, 2) a PIP TV picture and 3) an information area for a program selected in the EPG area. However, as previously argued in the Pre-Appeal Request for Review which prompted a new Office Action and rejections, there does not appear to be a description or suggestion for a third display area displaying a list of programs. Fig. 2 unit 45 appears to only be a single line displayed in the first display area together with EPG information. As presented in Applicants prior Pre-Appeal Request for Review which prompted the new rejections:

The Examiner asserts that unit 45 of Fig.2 of Yuen shows this limitation. (Office Action dated December 19, 2005; page 4). Unit 45 of Fig. 2, however, is merely one of the

listings within the Electronic Programming Guide (asserted by the Examiner to be the second display area) that lists the last channel viewed prior to entering the SURF guide. As set forth in Yuen, “[i]n order to utilize the last channel feature, the viewer must return to the SURF guide and select last channel listing 45 with cursor 48 prior to exiting the guide mode. (Page 7, lines 10 – 11). There is no teaching of a third display generation means as claimed in the rejected claims, therefore, the Applicants respectfully request reversal of the rejection.

(Pre-Appeal Request for Review, page 3, emphasis in original).

Along these lines claims 23-24 and 26-28 ultimately depend from claim 22. Through this Amendment and Response, claim 22 has been amended to include, *inter alia*, the element: “generating display of said list of the selected programs stored in the storage means in a third display area of said display unit” as is thus allowable for at least the reasons discussed above. (See also claims 33 and 34 which have amended to recite, *inter alia*, “generating display of a list of stored selected programs in a third display area of said display unit”).

As also discussed in the Pre-Appeal Request for Review, the last channel recall of Yuen is not updated or stored while in the “PIP mode” / “guide mode” of Yuen’s EPG. Therefore, there can be no “addition of parameters identifying the additionally selected programs to a list of selected programs stored in the storage means”. Rather, the cited text only allows the user to “select[] a particular program from the displayed current television program listings by a means of a cursor or a code number, [wherein] the corresponding program automatically appears in the PIP window. In this way, the viewer can channel graze by sequentially selecting the individual program listings in the background.” (Page 5, lines 29 – 32). The viewer simply sequentially grazes channels, until he or she locates a desired program, and leaves the PIP mode to watch the desired program.

There is no teaching or suggestion of storing the parameters of additionally selected programs during the browsing **to a list**. Indeed, the specification and substitute specification of the present invention reiterated the drawbacks of Yuen by noting “if a user has displayed several programs in the PIP area, the user may only revert back to the last channel viewed in full screen.” (Sub. Spec.; Page 2, paragraph 0006). Its either view the last channel viewed before entering the guide or the program currently selected, there is no list of selected programs stored

in a storage means nor can there be a list of such if only **one** program/channel may be available. Indeed, as explicitly provided by Yuen “[w]hile the system is in the guide mode, the data in last channel register 34 does not change.” (Page 6, lines 13 – 4).

Applicants further respectfully disagree with the Examiner’s combination of Yuen with new reference Verharghe. Specifically, the Examiner cites Verharghe as “disclosing a system for storing multiple channel selections in a history list of channels, and further provides navigation means to recall them all in the history list. See [0038] and [0039].” (Office Action dated October 2, 2006; page 4). Paragraph [0039] of Verharghe, however, provides:

In summary, a method and an arrangement are disclosed for tuning a signal receiver such as a broadcast television receiver. The receiver includes a (remote) control device (7) having **conventional channel selection keys** (71,72) for manually selecting a channel or program. The receiver keeps a list of three or more selected channels in a history memory (5). The remote control device (7) further includes a recall key (74) for **cyclically tuning the receiver to the listed channels**. The channel being removed from the list in response to a manual channel selection is preferably the least recently viewed channel, so that the most recently viewed channels are recalled by the **recall key**.

(Verharghe; page 3; paragraph [0039]; emphasis added). Thus, Verharghe merely provides a remote control having a single key that may be utilized to cycle through previously viewed channels. There is no teaching, suggestion, or disclosure of at least “additional program selections causes setting said broadcast receiver to said selected program and display of the additionally selected programs in the second display area and addition of parameters identifying the additionally selected programs to a list of selected programs stored in the storage means.” In fact, there is no discussion or even suggestion of any display generation means, never mind a first, second, and a third generation means. Thus, combining the two references does not teach, suggest, or even disclose the recited subject matter of the rejected claims.

Further, one skilled in the art would not be motivated to combine Yuen, which only allows a user to either view the last channel viewed before entering the guide (i.e., a single channel) with Verharghe, which asserts a “problem with this prior art receiver is that only one previous channel can be recalled.” (Verharghe; page 1; paragraph [0003]) For at least the reasons discussed above, Applicants respectfully submit that the recited subject matter of claims

1-7, 10, 13, 22-28, and 33-34 and, therefore, Applicants respectfully request withdrawal of the rejection.

Claims 8-9, 11, 15-18, 20 and 29-32 are rejected under 35 USC § 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verharghe (US 2001/0017672) and further in view of Duffield (US 5,194,954). Applicants respectfully request reconsideration in view of the following.

As discussed above, Applicants respectfully disagree that either Yuen and/or Verharghe, either individually or in combination, teach, disclose, or suggest the subject matter of the independent claims from which claims 8-9, 11, 15-18, 20 and 29-32 ultimately depend from.

Further Applicants respectfully disagree that Duffield teaches the asserted limitations. For example, dependent claim 8 recites the broadcast receiver of claim 1 “further comprising timer means, wherein said timer means is activated upon program selection and causes setting and display of the selected program in the second display area of the display unit for a predetermined time and renewed setting and display of the previously selected program in the second display area of the display unit upon elapse of the predetermined time.” This is entirely different than the subject matter disclosed by Duffield. As provided, Duffield is directed towards the automatic initiation of a channel guide mode open turning on the receiver. (See Duffield’s Summary of the Invention; Col. 1, lines 50-54: “It is recognized herein that apparatus according to the subject invention, for automatically initiating the ‘channel guide’ mode of operation when the receiver is turned on by a user is highly advantageous for several reasons”). As also explicitly provided in Duffield’s Detailed Description: “The present invention concerns automatic initiation of the channel sampling mode of operation. Referring to FIG. 2, in response to the detection of a power-on command (step 210) the operating power supply is activated, which in turn activates the receiver. In response to the detection of the "operating power supply ready" signal (230), controller 110 simulates the reception of a multi-channel start command(step 240), and proceeds to the section of the program code illustrated in FIG. 4, for controlling the channel sampling mode of operation.” (Col. 5, lines 19-28; emphasis added).

The portion of Duffield cited by the Office Action relates to locating new channels and creating an image from each channel capable of being viewed and presenting the same to the user on a single display means. (See, e.g., Col. 5, line 62 – Col. 6, line 66). As stated: “The task of beginning to look for new channels entails setting a flag, such as that whenever a new channel is tuned, the program segment illustrated in the flowchart of FIG. 5 will be executed.” (Col. 5, line 66 – Col. 6, line 1) It is within this context that the text cited by the Examiner (Col. 6, lines 26-33) provides:

It is known from the prior art to cause the continuous updating of the displayed multichannel images until ordered to tune a channel by a viewer. However, it is herein recognized that it may be desirable that controller 110 cause the images to be updated for a predetermined period of time, for example 30 seconds, and then cause tuner 102 to tune the last channel previously watched by the viewer.

Thus, there can be no teaching of at least “said timer means is activated upon program selection” or “causes setting and display of the selected program in the second display area of the display unit for a predetermined time and renewed setting and display of the previously selected program in the second display area of the display unit upon elapse of the predetermined time.” In fact, Duffield could not be combined with Yuen because Yuen expressly teaches the generation of a single channel in the viewing area, whereas Duffield goes against this in teaching “display[ing] multichannel images” in only a single display means.

For at least the reasons discussed above, Applicants respectfully submit that the recited subject matter of claims 8-9, 11, 15-18, 20 and 29-32 and, therefore, Applicants respectfully request withdrawal of the rejection.

Claims 12 and 14 are rejected under 35 USC § 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verharghe (US 2001/0017672) and further in view of Darbee et al. (US 6,130,726).

As discussed above, Applicants respectfully disagree that either Yuen and/or Verharghe, either individually or in combination, teach, disclose, or suggest the subject matter of the independent claim 1, from which claims 12 and 14 depend from.

Further, specifically regarding claim 12, the Office Action asserts that Darbee discloses "said electronic program guide system is incorporated in a mobile handset." Specifically, the Office Action provides: "..., it would have been obvious to one of ordinary skill at the time the invention was made to have modified the teaching of Yuen et al. to have the electronic program guide be displayed on a remote control unit. One of ordinary skill in the art would have been motivated to do this in order to provide the electronic program guide to a user without interrupting the programming that is being displayed on the television." Applicants respectfully disagree. Aspects of the recited claims enable users to receive EPG and channels and display them in a mobile handset. Thus, combining the teachings of Yuen with Darbee does not teach, disclose or suggest the subject matter of the rejected claims. Applicants, therefore, respectfully request reconsideration and withdrawal of the rejection.

Claims 19 and 21 are rejected under 35 USC § 103(a) as being unpatentable over Yuen et al. (WO 97/34414) in view of Verharghe (US 2001/0017672) and Duffield (US 5,194,954) and further in view of Darbee et al. (US 6,130,726).

Claims 19 and 21 both depend from claim 15. As discussed above, Applicants respectfully disagree that either Yuen and/or Verharghe, either individually or in combination, teach, disclose, or suggest at least "timer means; wherein an additional program selection causes setting and display of the additionally selected program in the second display area and wherein said timer means is activated upon additional program selection and causes setting and display of the additionally selected program in the second display area of the display unit for a predetermined time and renewed setting and display of the previously selected program in the second display area of the display unit upon elapse of the predetermined time" Further, as described above, Applicants disagree with the interpretation and combination of references would arrive at the subject matter of the rejected claims. Specifically, merely adding the mobile

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handset of Darbee to the teachings of Yuen, Verharghe, and/or Duffield suggests the subject matter of claims 19 and 21. Applicants, therefore, respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Applicant believes there is no fee due in association with the filing of this response, however, should there be any fees due the Commissioner is hereby authorized to charge any such fees or credit any overpayment of fees to Deposit Account No. 19-0733.

Respectfully submitted,

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